

Message Text

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15
ORIGIN FBOE-00

INFO OCT-01 AF-08 ISO-00 /009 R

DRAFTED BY A/FBO:JHHOLMES:AEG
APPROVED BY A/FBO:WFMCCOLLOUGH
----- 054205

R 290242Z JUL 76
FM SECSTATE WASHDC
TO AMEMBASSY NAIROBI

UNCLAS STATE 187628

FOR CHARLES BROWN FROM FBO

E.O. 11652: N/A

TAGS: ABLD

SUBJECT: NEW OB, PROPERTY NO. 03542, SOUND STUDIO BID

1. BID FROM J. M. BENSON CO., INC. RECEIVED JULY 22, 1976.
WE ADVISED FIRM THEIR BID UNRESPONSIVE ON FOLLOWING POINTS:
(A) FLUCTUATION. BID WAS "K.SHS 773,032 (EQUALS U.S. DOLS.
96,629)." BIDDER TOLD HE CANNOT BE GUARANTEED PAYMENTS
TOTTALLING U.S. DOLS. 96,629, BUT PAYMENTS TO MAIN CONTRACTOR
WOULD INCLUDE DOLLARS PERMITTING DOLLAR PAYMENTS TO U.S.
SUBCONTRACTORS OR FOR U.S. MATERIALS FURNISHED BY NON-U.S.
SUBCONTRACTORS, BOTH CONVERTED FROM KENYAN SHILLINGS AS
PROVIDED BY ARTICLE 46(B) OF THE GENERAL CONDITIONS; (B)
PAYMENTS. BENSON STIPULATED "PAYMENT SHALL BE U.S. DOLS.
96,629 BY MEANS OF A CONFIRMED IRREVOCABLE SIGHT LETTER OF
CREDIT WITH DRAFT PAYABLE AND NEGOTIABLE AT MARYLAND
NATIONAL BANK, BALTIMORE, U.S.A. UPON PRESENTATION OF AN
ON BOARD OCEAN BILL OF LADING." BIDDER TOLD ARTICLE 42
OF GENERAL CONDITIONS GOVERNS PAYMENT TERMS AND HIS TERMS
UNACCEPTABLE.

2. BIDDER REQUESTED TO ADVISE DEPARTMENT SOONEST WHETHER
HE WILL MODIFY TERMS OF BID TO ELIMINATE STIPULATED U.S.
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DOLLARS EQUIVALENT AND AGREE TO PAYMENTS BASED ON ARTICLE 42

OF GENERAL CONDITIONS. EMBASSY WILL BE NOTIFIED OF
CONTENTS OF BENSON'S REPLY.

3. PLEASE PASS ABOVE TO ARMSTRONG AND DUNCAN. ALSO,
IF BENSON CAN SUBMIT BID WITHOUT QUALIFICATIONS, ADVISE
WHETHER ARMSTRONG AND DUNCAN SUGGEST BID BE DETAILED.
TOTAL OF SHILLINGS 773,032 ONLY ENTRY MADE BY BENSON
IN "SPECIFICATIONS" DOCUMENT PREPARED BY ARMSTRONG AND
DUNCAN. KISSINGER

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<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 15 SEP 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ECONOMIC COOPERATION, SANCTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 29 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: RowellE0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE187628
Document Source: ADS
Document Unique ID: 00
Drafter: A/FBO:JHHOLMES:AEG
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D760246-0942
From: STATE
Handling Restrictions: n/a
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Legacy Key: link1976/newtext/t197607109/baaaepny.tel
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Original Previous Classification: n/a
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Review Authority: RowellE0
Review Comment: n/a
Review Content Flags:
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Margaret P. Grafeld
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EO Systematic Review
04 MAY 2006

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Secure: OPEN
Status: NATIVE
Subject: NEW OB, PROPERTY NO. 03542, SOUND STUDIO BID
TAGS: EAID, ZA
To: NAIROBI
Type: TE
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